

ತಾವು ನೆನ್ನೆಯ ಸಾಯಂಕಾಲ ಇದನ್ನು ಈ ಲಿಸ್ಟಿಗೆ ಸೇರಿಸಿರುತ್ತೀರಿ. ಆದಾಗ್ಯೂ ತಾವೀಗ ಮಂತ್ರಿಗಳಿಗೆ ಯಾವಾಗ ಉತ್ತರ ಕೊಡುತ್ತೀರಿ ಎಂದು ಕೇಳುತ್ತಿದ್ದೀರಿ. ತಾವು ಇದರ ಬಗ್ಗೆ ಅರ್ಥಗಂಟಿ ಚರ್ಚೆಗೆ ಅವಕಾಶ ನೀಡಬಹುದು ಎಂಬ ಅಂಶವನ್ನು ನಾನೀಗ ತಮ್ಮ ಗಮನಕ್ಕೆ ತಂದಿರಬೇಕು.

Mr. SPEAKER.—Does the member call it a point of order or does he want to enlighten me? I am enlightened; it will be done on Tuesday.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ (ಸಿರಾ)—ತಾವು ಇದನ್ನು ಇನ್ನೊಂದು ದಿನ ಬರಬೇಕು ಎಂಬುದಕ್ಕೆ ಇದರಲ್ಲಿ ಹೇಳಿದೆ? ಇದನ್ನು ಹೀಗೆ ಮುಂದುವರಿಸಲು ಅಧ್ಯಕ್ಷರಿಗೆ ಅಧಿಕಾರವಲ್ಲದೆ? I draw your attention to sub-rule (5) about Calling Attention Notice, Sir.

ಅಧ್ಯಕ್ಷರು :—ಈ ವಿಚಾರವನ್ನು ಚೆನ್ನಾಗಿ ಅರಿಯಬೇಕು ಮಾಡಿ ನಿಮಗೆ ನಾಳೆ ಉತ್ತರ ಹೇಳುತ್ತೇನೆ. It will come at the appropriate time. It will come on Tuesday at the appropriate time that is, after Question Hour and before any other work is taken up. Where is it laid down that it cannot be taken on any other day? Now we will take up the Mysore Prisons Bill clause by clause. Sri A. Krishna Setty may move his amendment to Clause 53.

## MYSORE PRISONS BILL, 1962.

### Clause 53.

Sri A. KRISHNA SHETTY.—Sir, I beg to move:

‘That in clause 53, line 11, for the words “one year”, the words, “six months” may be substituted.’

Mr. SPEAKER.—Amendment moved:

‘That in clause 53, line 11, for the words “one year”, the words, “six months” may be substituted.’

ಶ್ರೀ ಎ. ಕೃಷ್ಣಶೆಟ್ಟಿ.—ಮೈಸೂರು ಜೈಲಿನಲ್ಲಿ ಒಂದು ವರ್ಷ ಶಿಕ್ಷೆ ಕೊಡಬೇಕೆಂದು ಹೇಳಿರುವುದನ್ನು ನಾನು ಈಗ ಆರು ತಿಂಗಳಿಗೆ ಇಳಿಸಬೇಕೆಂದು ಈ ತಿದ್ದುಪಡಿ ತಂದಿದ್ದೇನೆ. ಒಂದು ವರ್ಷ ಶಿಕ್ಷೆ ವಿಧಿಸುವುದು ಬಹಳ ಜಾಸ್ತಿ ಆಯಿತು. ಬ್ರಿಟಿಷ್ ಸರ್ಕಾರವಿದ್ದಾಗ ಸಹಾ ಇಂಥ ಒಂದು ಕೈರವಾದ ಶಿಕ್ಷೆ ಇರಲಿಲ್ಲ. ಹಿಂದೆ 6-8-12 ವರ್ಷಗಳ ಕಾಲ ಜೈಲಿನಲ್ಲಿದ್ದವರೆಲ್ಲ ಎಷ್ಟೋ ರೆಮಿಷನ್ ಪಡೆದು ಮುಂಚಿತವಾಗಿ ಜೈಲಿನಿಂದ ಹೊರಗೆ ಬಂದಿದ್ದಾರೆ. ಈಗ ಅಡ್ವಾಜರಿ ಬೋರ್ಡ್ ಬೇರೆ ಇಲ್ಲ. ಆದರೆ ಈಗ ಕಾಲ ಬಹಳ ಮುಂದೆ ವರದಿದೆ. ಅದುದರಿಂದ ಈ ಶಿಕ್ಷೆಯನ್ನು ಆರು ತಿಂಗಳಿಗೆ ಇಳಿಸಬೇಕೆಂದು ಹೇಳಿ ನನ್ನ ತಿದ್ದುಪಡಿಯನ್ನು ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸುತ್ತೇನೆ.

Sri R. M. PATIL (Minister for Home).—Sir, I oppose the amendment in the interest of maintaining of better discipline in the jail. It is advisable that the clause is retained as it is.

Mr. SPEAKER.—The question is:

‘That in clause 53, line 11, for the words “one year”, the words “six months” may be substituted.’

*The amendment was negatived.*

Mr. SPEAKER.—The question is:

‘That clause 53 stand part of the Bill.’

*The motion was adopted.*

Clause 53 was added to the Bill.

*Clause 54.*

Mr. SPEAKER.—The question is :

“ That clause 54 stand part of the Bill.”

*The motion was adopted.*

Clause 54 was added to the Bill.

*Clause 55.*

Sri A. KRISHNA SHETTY.—I beg to move :

‘1. That in sub-clause (1), for the words “not exceeding ten days” the words “not less than fifteen days” shall be substituted.’

‘2. In sub-clause (a), for the words “two years of sentence” the words “one year of sentence” shall be substituted.’

‘3. In sub-clause 3 (c), for the words “twelve months” the words “six months” shall be substituted.’

‘4. In line 2 of the sub-clause (4), the word “not” shall be deleted.’

Mr. SPEAKER.—Amendment moved :

‘1. That in sub-clause (1), for the words “not exceeding ten days” the words “not less than fifteen days” shall be substituted.’

‘2. In sub-clause (a), for the words “two years of sentence” the words “one year of sentence” shall be substituted.’

‘3. In sub-clause 3 (c), for the words “twelve months” the words “six months” shall be substituted.’

‘4. In line 2 of sub-clause (4), the word “not” shall be deleted.’

†ಶ್ರೀ ಎ. ಕೃಷ್ಣ ಶೆಟ್ಟಿ.—ಸ್ವಾಮೀ, ಇದರಲ್ಲಿ ಮೊದಲನೆಯ ಜೈಲಿಗೆ ಹೋಗಿ ಎರಡು ವರ್ಷ ಎಂದು ಹಿಂದೆ ಬ್ರಿಟಿಷರ ಕಾಲದಲ್ಲಿದ್ದಂತೆಯೇ ಈಗಲೂ ಮುಂದುವರಿಯುತ್ತಾ ಬಂದಿದೆ. ಇದು ಈಗಲೂ ಇರುವುದು ಸರಿಯಲ್ಲ. ಇದನ್ನು ಎರಡು ವರ್ಷಕ್ಕೆ ಬದಲಾಗಿ ಒಂದು ವರ್ಷ ಎಂದು ಇರುವುದು ಒಳ್ಳೆಯದು. ಅದರಂತೆ ಈ ತಿದ್ದುಪಡಿಯಲ್ಲಿ ಪರೋಲನಲ್ಲಿ ಬರುವಂತೆ ಟೈದಿಗಳು ಒಂದು ವರ್ಷದವರೆಗೆ ಎಂದಿರಬಹುದು. ಏಕೆಂದರೆ ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ಅನೇಕ ಮನೆಯ ಕಷ್ಟಗಳು ತ್ವರಿತವಾಗಿ ಆದರಿಂದ ಇನ್ನೊಂದು ಅಮೆಂಡ್‌ಮೆಂಟಿನಲ್ಲಿ 12 ತಿಂಗಳು ಎಂದಿರುವುದನ್ನು 6 ತಿಂಗಳು ಗಳಿಗೆ ಇಳಿಸ ಬೇಕೆಂದು ತಂದಿದ್ದೇನೆ.

ಇನ್ನೊಂದು ಪರೋಲ ದಿನವನ್ನು ಶಿಕ್ಷೆಗೆ ಅನ್ವಯಿಸಿ ತೆಗೆದುಕೊಳ್ಳುವುದು. ಪರೋಲನಲ್ಲಿ ಅವನು ಟೈದಿಯಾಗಿಯೇ ಹೊರಕ್ಕೆ ಹೋಗುತ್ತಾನೆ. ಹೊರಗೆ ಹೋಗುವಾಗಲೂ ಸಹ ತನ್ನ ಮನೆಯೊಳಕ್ಕೆ ಹೋಗಿರುವಾಗ ಒಂದು ತರದ ಮಾನಸಿಕ ವೇದನೆಯನ್ನು ಅನುಭವಿಸಿಕೊಂಡು ಬರುತ್ತಾನೆ. ಆದರಿಂದಾಗಿ ಹುತ್ತು ದಿನಗಳ ಕಾಲ ಹೋರಗೆ ಹೊದರೂ ಅದನ್ನು ಶಿಕ್ಷೆಯಾಗಿಯೇ ಪರಿಗಣಿಸಬೇಕೆಂದು ಈ ತಿದ್ದುಪಡಿ ತಂದಿದ್ದೇನೆ.

Sri R. M. PATIL.—I oppose the amendments on principle. A prisoner is released temporarily for his convenience. Secondly, the prisoner must feel that what he did was wrong and he was punished for the wrong. The period of 2 years is considered necessary and it has been working well so far.

Mr SPEAKER.—The question is:

‘That in sub-clause (1), for the words “not exceeding ten days” the words “not less than fifteen days” shall be substituted.’

*The amendment was negatived.*

Mr. SPEAKER.—The question is:

‘That in sub-clause (a), for the words “two years of sentence” the words “one year of sentence” shall be substituted.’

*The amendment was negatived.*

Mr. SPEAKER.—The question is:

‘That in sub-clause 3 (c), for the words “twelve months” the words “six months” shall be substituted.’

*The amendment was negatived.*

Mr. SPEAKER.—The question is:

‘That in line 2 of the sub-clause (4), the word “not” shall be deleted.’

*The amendment was negatived.*

Mr. SPEAKER.—The question is:

“That clause 55 stand part of the Bill.”

*The motion was adopted.*

Clause 85 was added to the Bill.

*Clauses 56 to 60.*

Sri A. KRISHNA SHETTY.—I do not want to move my amendment to clause 56, since it has been already discussed.

Mr. SPEAKER.—The question is:

“That clauses 56 to 60, both inclusive, stand part of the Bill.”

*The motion was adopted.*

Clauses 56 to 60, both inclusive, were added to the Bill.

*Clauses 61 and 62.*

Mr. SPEAKER.—The question is :

“That clauses 61 and 62 stand part of the Bill.”

*The motion was adopted.*

Clauses 61 and 62 were added to the Bill.

*Clause 63*

Sri A. KRISHNA SHETTY.—I beg to move :

“That in sub-clause (2), in item (n), after the words “periods of” the words “recreation and” shall be added.’

Mr. SPEAKER.—Amendment moved :

“That in sub-clause (2), in item (n), after the words “periods of” the words “recreation and” shall be added.’

Sri R. M. PATIL.—‘Rest’ includes recreation. I oppose the amendment.

Sri A. KRISHNA SHETTY.—I withdraw the amendment.

*The amendment was, by leave of the House, withdrawn.*

Sri B. R. SUNTHANKAR.—I beg to move :

“That in sub-clause (2), for the existing item (p), the following item shall be substituted :

“(p) regulating the conduct of open prison.”

Mr. SPEAKER.—Amendment moved:

“That in sub-clause (2), for the existing item (p), the following item shall be substituted :

“(p) regulating the conduct of open prison.”

Sri B. R. SUNTHANKAR.—My object in moving this Amendment is that prisoners who are imprisoned for life should not be confined under fetters. This system of fettering should be done away within prisons. In regard to open prisons, the Hon'ble. Home Minister said yesterday that the definition of ‘prison’ also includes open prisons. I want that certain rules should be prescribed for the conduct of open prisons. I would particularly like the Government to start open prisons and convert them into agricultural farms. Most prisoners are drawn from the agricultural community, as the figures would show. Starting of agricultural farms in prisons would certainly serve a better purpose.

Mr. SPEAKER.—Is the Hon'ble Minister accepting the amendment ?

Sri R. M. PATIL.—No, Sir. The point is this ; when the definition of prison as it is, can include the open prison, rules also will be included. There is nothing inconsistent with it and no further clarifications are necessary.

Sri B. R. SUNTHANKAR.—I withdraw my amendment.

*The amendment was, be leave of the House, withdrawn.*

Sri V. S. PATIL.—Sir, I beg to move :

“That in sub-clause (2), after item (bb), the following items shall be added :

“(cc) regulating and establishing open door prisons ;

(dd) for making provision for the after life of prisoners who have no means to maintain themselves.”

Mr. SPEAKER.—Amendment moved :

“That in sub-clause (2) after item (bb), the following items shall be added :

“(cc) regulating and establishing open door prisons ;

(dd) for making provision for the after life of prisoners who have no means to maintain themselves.”

†Sri V. S. PATIL.—Sir, so far as these amendments are concerned, I am trying to strengthen the Government's hands with regard to their intention to have these open door prisons. Unless the power is delegated to them to prepare rules or to frame rules under the Act, the Government can neither frame it nor enforce it. In order to avoid the complications that are likely to arise in the Government's intention to have such open door prisons, I have moved this amendment. Even though a prison may include the open space, still the rule making power should be given to the Government. If we do not give that power, Government cannot do it by the rule making power. That is the main reason why I have moved this amendment.

The second reason is, this ; we have all discussed and even the Hon'ble Minister and the Government Benches have promised us that they are looking after prisoners, who are released from prison, so far as their after life is concerned. But, there is no rule making power for establishing any Board or Society or anything under this Act, and that is why this is a lacuna that has remained which will come in the way of actual working of these institutions. That is why I have made these two suggestions for being included in the present Bill and if they are included, the Government's hands will be strengthened to carry out the provisions.

Sri R. M. PATIL.—Sir, I oppose this amendment on the point that when the definition of prison as it is includes open space or open prison and in view of clause 63—‘power to make rules’ as it is framed, there is no difficulty in framing rules in respect of such prisons. That is one aspect of the case. Another aspect is this; the provisions of this Bill are only in respect of prisons. When once the term of imprisonment of the prisoners is over, their after life is beyond the scope. So, it is not advisable that my Hon’ble friend should press for the amendment.

Sri V. S. PATIL.—I withdraw my amendment.

*The amendment was, by leave of the House, withdrawn.*

Mr. SPEAKER.—The question is :

“That clause 63 stand part of the Bill.”

*The motion was adopted.*

Clause 63 was added to the Bill.

*Clauses 64 to 68.*

Mr. SPEAKER.—The question is :

“That clauses 64 to 68, both inclusive, stand part of the Bill.”

*The motion was adopted.*

Clauses 64 to 68, both inclusive, were added to the Bill.

*Schedule.*

Mr. SPEAKER.—The question is :

“That Schedule stand part of the Bill.”

*The motion was adopted.*

The Schedule was added to the Bill.

*Clause 1, The Preamble and the Title.*

Mr. SPEAKER.—The question is :

“That clause 1, the Preamble and the Title stand part of the Bill.”

*The motion was adopted.*

Clause 1, the Preamble and the Title were added to the Bill.

*Motion to pass.*

Sri R. M. PATIL.—Sir, I beg to move :

“That the Mysore Prisons Bill, 1962, as amended, be passed.”

Mr. SPEAKER.—The question is :

“That the Mysore Prisons Bill, 1962, as amended, be passed.”

*The motion was adopted.*

## THE MYSORE PRISONERS BILL, 1962.

*Motion to consider.*

Sri R. M. PATIL.—Sir, I beg to move :

“That the Mysore Prisoners Bill, 1962, be taken into consideration.”

Mr. SPEAKER.—Motion moved:

“That the Mysore Prisoners Bill, 1962, be taken into consideration.”

Sri R. M. PATIL.—Sir, ptill now we considered the management, accommodation, sanitary conditions, health conditions and the improvements of the prisoners within the premises of the prisons. Now, we are to consider the prisoners. So far as the provisions of this Bill are concerned, it is very simple and it provides as usual, the definations, officers who are in charge of the prisons and the way of removal and also mental conditions of the prisoners. At present, there are four types of legislations; the Prisoners Act of 1900 as in force in Bombay area, Madras area and Coorg District, the Hyderabad Prisoners Act of 1954 as in force in the Hyderabad Karnatak area, the Mysore Transfer of Prisoners Act, 1954 as in force in the old Mysore area and Section 57 (a) of the Mysore prisons Act, 1943 as adopted by the Mosore Adaptation of Laws Order, 1956 as in force in Mysore area. To have a uniform law and to make all these provisions in to one codified law, this Bill has been introduced and it may be kindly taken into consideration by this August House.

An HON'BLE MEMBER.—May I know what is the time allotted for this Bill, Sir ?

Mr. SPEAKER.—We have allotted three hours for this Bill.

2-00 P.M.

† ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಸ್ವಾಮಿ, ಬಂದಿಖಾನೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಮಸೂದೆ ಈಗ ತಾನೆ ಈ ಸಭೆಯಲ್ಲಿ ಅಂಗೀಕಾರವಾಗಿದೆ. ತಕ್ಷಣದಲ್ಲೇ ಬಂದಿಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಹಾಗೆ ಇನ್ನೊಂದು ಮಸೂದೆಯನ್ನು ಸರ್ಕಾರದವರು ಸಭೆಯ ಪರಿಶೀಲನೆಗಾಗಿ ಮಂಡಿಸಿದ್ದಾರೆ. ಬಂದಿ ಮತ್ತು ಬಂದಿಖಾನೆ ಎರಡೂ ಒಂದೇ ವಿಷಯದ ಅವಿಭಾಜ್ಯ ಅಂಗಗಳು ಎಂದು ನಾನು ತೀವ್ರವಾಗಿ ಕೊಳ್ಳುತ್ತೇನೆ. ಬಂದಿಗಳಲ್ಲದೆ ಇದ್ದರೆ ಬಂದಿಖಾನೆಯ ಅವಶ್ಯಕತೆ ಇರುವುದಿಲ್ಲ. ಈಗ ಬಂದಿಖಾನೆಗಳು ಹೇಗಿವೆ, ಹೇಗೆ ಇರಬೇಕು ಎನ್ನುವುದರ ಬಗ್ಗೆ ನಾವು ಸಾಕಷ್ಟು ಚರ್ಚೆ ಈ ಮೊದಲು ಮಾಡಿ